ORDINANCE NO. 7

Series, 1963

AN ORDINANCE ESTABLISHING A WATER SYSTEM REPAIR SINKING FUND FROM MONIES NOW COLLECTED BY THE CITY OF ELGIN FROM THE SALE OF WATER FROM ITS MUNICIPAL SYSTEM; PROVIDING FOR THE MANNER OF COLLECTING MONIES TO BE PLACED IN SAID SINKING FUND; AND DECLARING AN EMERGENCY.

WHEREAS, numerous parts of the pipe distribution system of the City's water system are old, currently badly deteriorated, and in need of replacement, and other parts of the City's water system are likewise in need of replacement and repair, and

WHEREAS, in previous years, as well as currently, the finances of the City together with the obligations of the City by and through its past and current fiscal budget have been such that it has been impossible to acquire therefrom sufficient monies with which to properly replace and repair the water facilities as above described, thereby jeopardizing the health and welfare of the residents of the City, and

WHEREAS, the City desires to declare its intention to establish a water system repair sinking fund from monies now collected by the City from the sale of water from its municipal system in order to provide a systematic and orderly method of adequately and properly placing its water system facilities in proper order and repair, now therefore,

THE CITY OF ELGIN DOES ORDAIN AS FOLLOWS:

Section 1: There is hereby created and established a sinking fund which shall hereinafter be known as "WATER SYSTEM REPAIR SINKING FUND".

Section 2: Beginning with July 1, 1963, and continuously thereafter, ten percent (10%) of all water receipts collected by said City shall be transferred to and deposited in the hereinabove described "WATER SYSTEM REPAIR SINKING FUND".

Section 3: A separate and distinct account shall be kept and maintained by the City Recorder for said Water System Repair Sinking Fund. That a separate bank account shall be instituted and maintained for the deposit of all monies collected for said fund. All expenditures from said Fund shall be made only for the purposes of repairing and replacing the current facilities of the City's municipal water system, and/or in the construction, improving, repairing and maintenance of improving additions to, and/or extensions of the City's current water system facilities.

Section 4: It is hereby declared to be the intent of the Council that each of the separate provisions of this Ordinance shall be deemed to be independent of each other to the end, that if any provision herein contained shall be declared invalid, all other provisions herein contained shall nevertheless remain in full force and effect; and in the event any court of competent jurisdiction shall declare any sentence, part of any section, any section, or any provision herein contained to be unconstitutional or invalid, it is hereby expressly declared that all other parts, portions and sections of this Ordinance would nevertheless be enacted irrespective of any such holding by said court.

Section 5: Inasmuch as parts and portions of the City's municipal water system facilities are in need of replacement and repair, and the construction of new and additional facilities are eminent, all of which places the health, safety and welfare of the residents of the City of Elgin in jeopardy, an emergency

is hereby declared to exist and this Ordinance shall therefore be in full force and effect from and after its passage by unanimous vote of the Council and the same has been approved by the Mayor.

Passed by the City Council this 11th day of June, 1963.

Approved by the Mayor this 11th day of June, 1963.

Lenda C. Spiers
Mayor

ATTESTED and filed this
11th day of June, 1963.

Ethel J. Hunt
City Recorder